UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/344,492	06/25/1999	JOHN S. HENDRICKS	026880.00029	9126

4372 7590 07/11/2007

ARENT FOX PLLC
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

EXAMINER	
SALCE, JASON P	

ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
07/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/344,492	HENDRICKS ET AL.	
	Examiner	Art Unit	
	Jason P. Salce	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 March 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-10,12-17,25-28,30-34.36-41,50-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-10,12-17,25-28,30-34.36-41,50-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

After further review of the claims, the examiner was recommended by his supervisor to search class 707 for the document processing functionality found in the claims. After an extensive search of class 707, subclass 203, prior art has been found on the previously allowed claims, as well as the previously objected to claim limitations in the dependent claims (see the updated rejection below).

Information Disclosure Statement

The information disclosure statement filed 3/19/2007 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the case number is different from the case number of the instant application (Application Number states 09/237,826). It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2, 4, 6-10, 17, 23-26, 28, 30-34, 41 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Handelman et al. (U.S. Patent 6,298,441) in view of Duga et al. (U.S. Patent No. 6,195,667) in further view of Knauft et al. (U.S. Patent No. 6,654,754).

Referring to claim 1, Handelman discloses restricting access to electronic books displayed on a viewer (see Figure 12 and Column 7, Line 66 through Column 8, Line 11).

Handelman also discloses displaying an identification of an electronic book on a viewer (see screen 425 in Figure 12 and Column 2, Lines 40-44 and Column 16, Lines 45-56 and Column 17, Lines 16-31).

Handelman also discloses receiving identification information from a user (see Column 15, Lines 41-43).

Handelman also discloses receiving information on whether the electronic book contains a restriction based on a rating (see Column 15, Lines 43-50) and if the electronic book contains at least one restriction, whether the restriction applies to the identified user (see Column 16, Lines 25-31).

Handelman also discloses restricting access to the electronic book based upon the information (see Column 16, Lines 1-6 for receiving the electronic book only if the user is authorized based on authorization information described above).

Handelman also discloses saving a first restricted version of the electronic book in the library unit including the original format of the electronic book (see Column 17, Lines 27-39 for receiving/storing multiple versions of a single document, which can be restricted (by controlling which portions to display or different versions to display) and unrestricted versions (by displaying all of another version of the document)). Further note that the different versions are restrictive according to the different languages they are presented in. For example, if an English-speaking user receives a French version and the user does not speak French, this is also an example of storing a restricted version (French) as opposed to an unrestricted version (English).

Handelman also discloses creating a second unrestricted version of the electronic book by deleting predetermined content (see again Column 17, Lines 27-39 for a second unrestricted version being created and transmitted to the user (English version of the document or a version displaying all of the portions of the document).

Handelman also discloses saving the second unrestricted version of the electronic book in the library unit (see again Column 17, Lines 27-39).

Although Handelman teaches receiving the electronic book data to a library unit (see Column 6, Lines 33-44), Handelman fails to teach receiving and updating directory data of the electronic books in a library unit.

Duga discloses receiving and updating directory data of the electronic books in a library unit (see Column 1, Lines 50-65).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the electronic book system, as taught by Handelman, using the electronic book menu updating method, as taught by Duga, for automatically updating a menu after an electronic book is downloaded to a device, as opposed to a user having to manually enter the title of the electronic book every time the user downloads the electronic book to his/her device.

Handelman and Duga both fail to disclose inserting a cross-reference to the second unrestricted version of the electronic book in a header portion of the first restricted version of the electronic book.

Knauft discloses inserting a cross-reference to the second unrestricted version of the electronic book in a header portion of the first restricted version of the electronic book (see Column 16, Lines 41-64 for creating a keyword list in the header portion of the restricted document (document created from the electronic data object (electronic book)) where the list of keywords are taken from the electronic data object and therefore cross-references the unrestricted version of the electronic book/data object).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the electronic document versions, as taught by Handelman and Duga, using the cross-reference data, as taught by Knauft, for the purpose of partitioning the source data object (unrestricted version) into one or more

sections 604, each of the sections being based upon one of the chapters of the book (see Column 13, Lines 14-18 of Knauft).

Referring to claim 2, Handelman discloses wherein the restricting step includes restricting the access based upon a rating assigned to the electronic book (see Column 15, Lines 49-50 for the authorization information containing ratings information used in determining if the user will be restricted access to the electronic book), wherein the rating can be assigned to the electronic book by a user (see Column 15, Lines 47-50).

Referring to claim 4, Handelman discloses receiving a restriction on selected content from a user, wherein the content includes text of the electronic book (see Column 18, Lines 24-40).

Handelman also discloses receiving a restriction one the selected content from a user, wherein the content includes text or section of an electronic book (see the rejection of claim 1).

Handelman also discloses creating a second unrestricted version of the electronic book by deleting the selected content (see Column 17, Lines 2-36 and Column 18, Lines 24-39).

Referring to claim 6, see the rejection of claim 1.

Referring to claim 7, Handelman discloses permitting viewing of only selected pages of the electronic book (the examiner notes that an electronic book inherently contains multiple pages, therefore if an entire version of an electronic book or a portion thereof is not permitted access at the viewer (see the rejection of claim 4 above), then the system inherently only permits viewing of selected pages of the electronic book).

Referring to claim 8, Handelman discloses permitting viewing of no portion of the electronic book (see Column 16, Lines 18-31 for only accessing the electronic book is authorized, therefore if the user is not authorized, he/she will view no portion of the electronic book).

Referring to claim 9, Handelman discloses permitting unlimited access to the electronic book (see Column 16, Lines 33-36 for storing the document/electronic book on the smart cards memory 395 and Column 16, Line 64 through Column 17, Line 19 for accessing the electronic book from the smart card's memory using the authentication data, therefore, a user can access the electronic book an unlimited amount of times based on if the user if authenticated to access the electronic book stored in the smart card's memory 395).

Referring to claim 10, see the rejection of claims 1 and 4 and further note that Handelman also discloses receiving information relating to access to the electronic book by potential users (see Column 15, Lines 33-50 for the CA document loading unit 350

receiving requests for electronic books) and further relating to content of the electronic book (see Column 15, Lines 43-50 for the request information including various types of content related information of the electronic book).

Referring to claim 17, see the rejection of claim 10.

Referring to claims 25-28, see the rejection of claims 1-4, respectively.

Referring to claim 30, see the rejection of claim 1.

Referring to claims 31-33, see the rejection of claims 7-9, respectively.

Referring to claim 34, see the rejection of claim 10.

Referring to claim 41, see the rejection of claim 10.

Referring to claims 47-48, see the rejection of claims 23-24, respectively.

7. Claim 3 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Handelman et al. (U.S. Patent 6,298,441) in view of Duga et al. (U.S. Patent No. 6,195,667) in further view of Knauft et al. (U.S. Patent No. 6,654,754) in further view of Block et al. (U.S. Patent No. 6,675,384).

Referring to claim 3, Handelman, Duga and Knauft disclose all of the limitations in claim 1, as well as Handelman teaching that the restricting step includes permitting viewing of text within the electronic book (see Column 2, Lines 39-43), but fails to teach permitting no viewing of images within the electronic book.

Block discloses creating an image mask to block an image from being displayed (see Figure 11 and Column 18, Lines 55 through Column 19, Line 17). Further note

that Block clearly teaches that the system can be implemented in an electronic book system (see Column 2, Lines 50-56).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the electronic book viewer, as taught by the combination of Handelman, Duga and Knauft, using the masking technology, as taught by Block, for the purpose of providing a substitute program signal instead of the offensive or undesirable portions of a program/book (see Column 2, Lines 19-22 and 50-56 of Block).

Referring to claim 27, see the rejection of claim 3.

8. Claims 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huffman et al. (U.S. Patent No. 5,761,681) in view of Duga et al. (U.S. Patent No. 6,195,667) in further view of Handelman et al. (U.S. Patent 6,298,441) in further view of Knauft et al. (U.S. Patent No. 6,654,754).

Referring to claim 50, Huffman discloses electronically displaying a page of an electronic book on a viewer (see Figure 5) and permitting a user to restrict content of the electronic book (see Figure 37).

Huffman also discloses displaying a screen on a viewer (see Figure 5 for displaying a screen on the electronic book viewer).

Huffman also discloses displaying within the screen a page of an electronic book (see step 450 in Figure 38 for displaying a current page of the electronic book), the

page including at least a portion of content of the electronic book (see Column 17, Lines 56-59 for displaying a page which includes a portion of the electronic book).

Huffman also discloses permitting a user to identify at least a portion of the content displayed within the screen (see step 454 in Figure 38 which allows a user to select a portion of the text in the currently displayed page of the electronic book (also note Column 24, Lines 1-2).

Huffman discloses displaying a section within the screen for permitting the user to request restriction of the identified content (see Column 24, Lines 2-13 for requesting a substitute name in a dialog box display section). The examiner notes that by replacing a name with a new name, restriction to the name is accomplished.

Although Huffman discloses receiving and storing the electronic book in a library unit (see Column 6, Lines 3-8), Huffman fails to disclose indexing the electronic book within an index of the library unit and displaying a screen with the index having the electronic book.

Duga discloses storing and indexing an electronic book in a library unit (see Column 1, Lines 50-65) and displaying a directory having the stored electronic book on a viewer (see Column 1, Lines 61-63).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the electronic book system, as taught by Huffman, using the electronic book menu updating method, as taught by Duga, for automatically updating a menu after an electronic book is downloaded to a device, as opposed to a

user having to manually enter the title of the electronic book every time the user downloads the electronic book to his/her device.

Handelman discloses receiving a restriction on selected content from a user, wherein the content includes text of the electronic book (see Column 18, Lines 24-40).

Handelman also discloses saving a first restricted version of the electronic book in the library unit including the original format of the electronic book (see Column 17, Lines 28-36).

Handelman also discloses creating a second unrestricted version of the electronic book by deleting the selected content (see Column 17, Lines 2-36 and Column 18, Lines 24-39).

Handelman also discloses saving the second unrestricted version of the electronic book in the library unit (see Column 17, Lines 27-36).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the electronic book system, as taught by Huffman and Duga, using the multiple version storage and portion restriction functionality, as taught by Handelman, for the purpose of providing a secure access system for electronic books (see Column 1, Lines 11-12 of Handelman).

Huffman, Duga and Handelman fail to disclose inserting a cross-reference to the second unrestricted version of the electronic book in a header portion of the first restricted version of the electronic book.

Knauft discloses inserting a cross-reference to the second unrestricted version of the electronic book in a header portion of the first restricted version of the electronic

book (see Column 16, Lines 41-64 for creating a keyword list in the header portion of the restricted document (document created from the electronic data object (electronic book)) where the list of keywords are taken from the electronic data object and therefore cross-references the unrestricted version of the electronic book/data object).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the electronic document versions, as taught by Huffman, Duga and Handelman, using the cross-reference data, as taught by Knauft, for the purpose of partitioning the source data object (unrestricted version) into one or more sections 604, each of the sections being based upon one of the chapters of the book (see Column 13, Lines 14-18 of Knauft).

Referring to claim 51, see the rejection of claim 50.

Claim 12-16 and 36-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Handelman et al. (U.S. Patent 6,298,441) in view of Duga et al. (U.S. Patent No. 6,195,667) in further view of Paepke (U.S. Patent No. 6,249,785) in further view of Walker (U.S. Patent No. 6,279, 017).

Referring to claim 12, see the rejection of claims 1, 4 and 7 for the claim limitations met by Handelman and Duga. The examiner further notes that Handelman and Duga fail to teach assigning ratings to each of the electronic books.

Paepke discloses a viewer assigning ratings to multiple electronic books through a user interface (see Figures 1 and 16-18).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the rating assignment process, as taught by Handelman and Duga, using the multiple book rating process, as taught by Paepke, for the purpose of recommending items to a person based upon accurate estimates of a favorable reaction to the recommendation (see Column 2, Lines 13-16 of Paepke).

Handelman, Duga and Paepke fail to teach assigning a time-based restriction to each of the electronic books, wherein each page of the electronic book must be displayed for a predetermined period of time.

Walker discloses assigning a time for each page of an electronic book to be displayed to the user for the assigned amount of time (see Column 16, Lines 41-59).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the restriction assignment process, as taught by Handelman, Duga and Paepke, using the time based restriction, as taught by Walker for the purpose of providing a text enhancement method and apparatus for the presentation of text for improved human reading (see Column 2, Lines 58-60 of Walker).

Referring to claim 13, Paepke further discloses that the assigned ratings are within a range of ranges (see Figure 1 for the ratings being numerical values between 1 and 10).

Referring to claim 14, Paepke further discloses selectively permitting access to the electronic books based upon the ratings within the range of ratings (see Column 8,

Lines 32-61 and Figure 18 for recommending/permitting access to the predicted electronic books).

Referring to claim 15, Handelman, Duga, Paepke and Walker fail to teach that a user must enter a password in order to assign ratings, the examiner takes Official Notice that it is well known in the art to only allow a user to assign ratings to content if a password is entered.

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the system of Handelman, Duga, Paepke and Walker to only allow user to assign ratings if a password is entered, for the purpose only allowing parents to assign ratings in order block objectionable content from their children.

Referring to claim 16, Paepke further discloses that all users may assign ratings (see Column 8, Lines 32-34), and therefore any user can be considered a default user as broadly claimed, because only one type of user rating account exists in the system of Paepke.

Referring to claims 36-40, see the rejection of claims 12-16, respectively.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Salce whose telephone number is (571) 272-7301. The examiner can normally be reached on M-F 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Salce
Primary Examiner
Art Unit 2623

June 6, 2007

JASON SALCE
PRIMARY PATENT EXAMINER